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Mike Kahara

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

PLETZER, et al.

Serial No.: 09/826,267

Filing Receipt Date: April 4, 2001

For: APPARATUS AND TECHNIQUE FOR
UNIFORM LOADING OF
ENDOLUMINAL PROSTHESES

Examiner: Not Yet Determined

Group Art Unit: Not Yet Determined

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TRANSMITTAL LETTER FOR OMITTED ITEMS IN A NONPROVISIONAL
APPLICATION

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In complete response to the Notice of Omitted Item(s) in a Nonprovisional Application filed under 37 C.F.R. § 1.182 dated May 9, 2001, attached please find:

- Copy of Notice of Omitted Items in a Nonprovisional Application.
- Figures 8, 9, and 10 described in the specification of the Utility Patent Application, submitted as sheet 5/5.
- Supplemental Declaration for Utility Patent Application.

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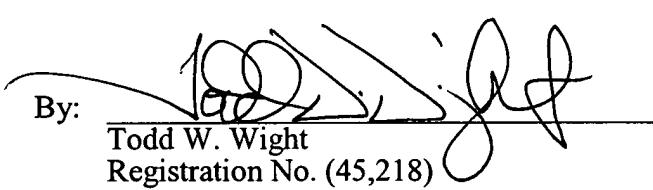
- A Petition Under 37 C.F.R. § 1.182 and the surcharge of \$130.00 as set forth in 37 C.F.R. § 1.17(h).
- Charge to Deposit Account No. 03-1952.

The Assistant Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§ 1.182 that may be required by this transmittal and associated documents, or to credit any overpayment to Deposit Account No. 03-1952. A duplicate copy of this transmittal is enclosed for that purpose.

Respectfully submitted,

Dated: June 1, 2001

By:


Todd W. Wight
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COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/826,267	04/04/2001	Scott Pletzer	297912003900

25224
MORRISON & FOERSTER, LLP
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SUITE 3500
LOS ANGELES, CA 90013-1024

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CONFIRMATION NO. 3384

FORMALITIES LETTER



OC000000006058983*

Date Mailed: 05/09/2001

NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

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A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Figure(s) 8,9,10 described in the specification.

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I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h)) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) OR (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid

delays in the prosecution of the application.

*A copy of this notice **MUST** be returned with the reply.*



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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE